

Request for Council Agenda Item**C-1**Department: Development ServicesPerson presenting to Council: Julie FulghamReport: _____ Resolution: _____ Ordinance: _____ Public Hearing: X**Topic of Council Item**

The first and second public hearings on annexation proceedings as required by the Texas Local Government Code for expedited annexation proceedings when annexing an area with less than 100 separate tracts of land, for the proposed annexation of up to approximately 250.11 acres of land, which includes portions of Placido Benavides Drive and Salem Road Right-of-Ways, near the vicinity of the intersection of the proposed Placido Benavides Drive and Salem Road and presentation of Annexation Service Plan.

Background information

The Texas Local Government Code requires public hearings and presentation of the Annexation Service Plan. Expedited annexation proceedings, which allow the first and second public hearings to be combined, can be initiated when a municipality is proposing to annex fewer than 100 separate tracts of land. No official action will be taken. The proposed annexation ordinance is scheduled for the January 3, 2019 Council meeting.

Properties under consideration for annexation:

1. 40-acre tract owned by Jake Schlein Properties Limited Partnership (PID #35142)
2. 34-acre tract owned by Jake Schlein Properties Limited Partnership (PID #361169)
3. 53.46-acre tract owned by Victoria Shopping Center Limited Partnership (PID #93018)
4. Placido Benavides Right-of-Way
5. Salem Road Right-of-Way

Properties with executed development agreements:

1. 40-acre tract owned by Dennis & Grace Renken (PID #36211)
2. 71.72 acres out of a 314.59-acre tract owned by Barbara Diebel Family Limited Partnership (PID #35138)

Attachment: Annexation Service Plan, Notice of Public Hearing published Sunday, November 18, 2018 and Thursday, December 6, 2018 in the *Victoria Advocate*.

Amount of Expenditure: _____

Fund #:

Cost Center #:

Account #:

Finance Approval:

Documents approved by Legal?

Legal Approval:

Important Dates for Tickler file:

Contract Expiration Date: _____

Termination Deadline: _____

Contract Renewal Date: _____

Performance Deadlines: _____

Other (_____): _____

Other (_____): _____



City of Victoria

NOTICE OF PUBLIC HEARING

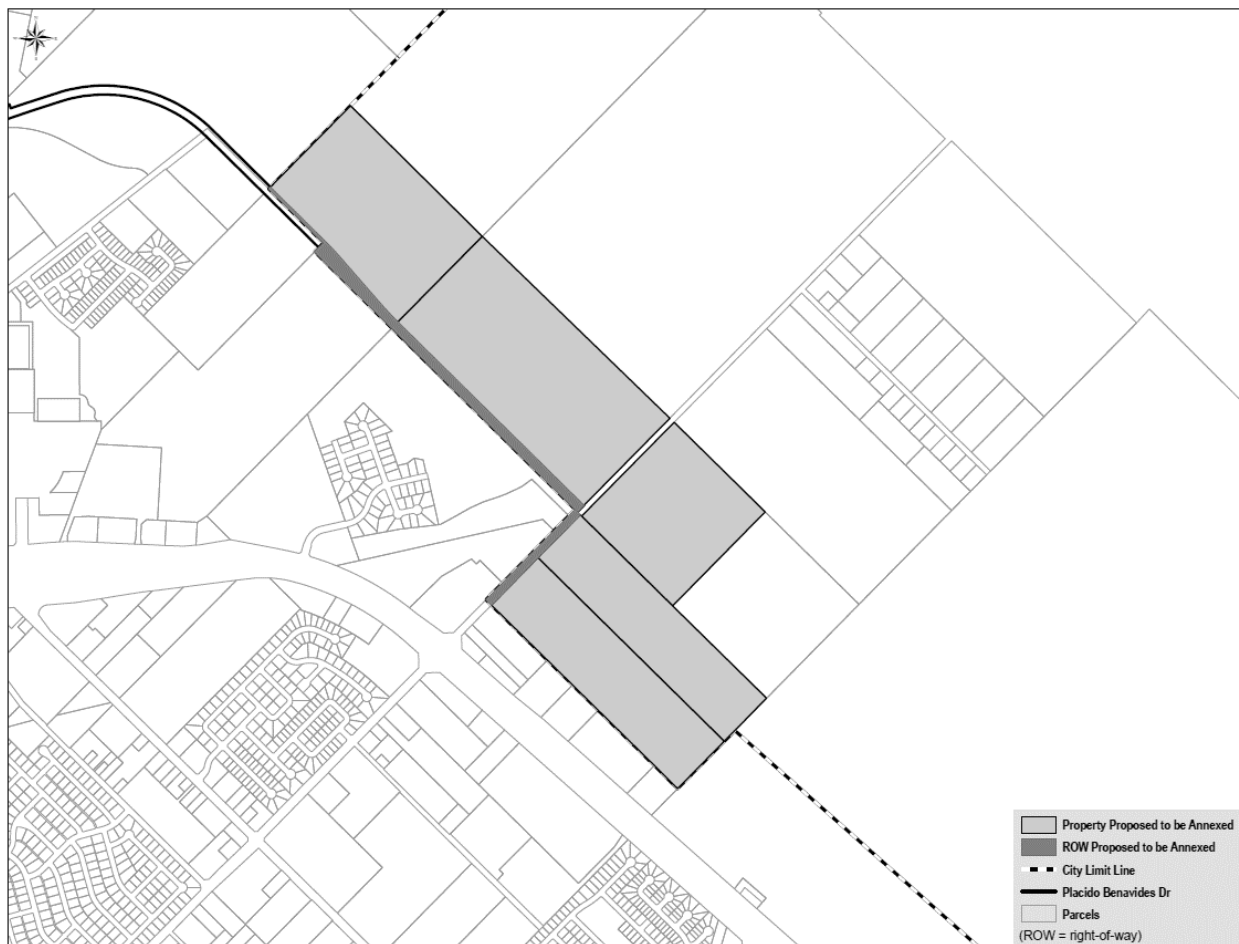
Notice of Public Hearings regarding a request by the City of Victoria, Texas for the annexations of approximately 250 acres of land near Placido Benavides Drive and Salem Road, near the northeast edge of the City of Victoria as shown by the map below.

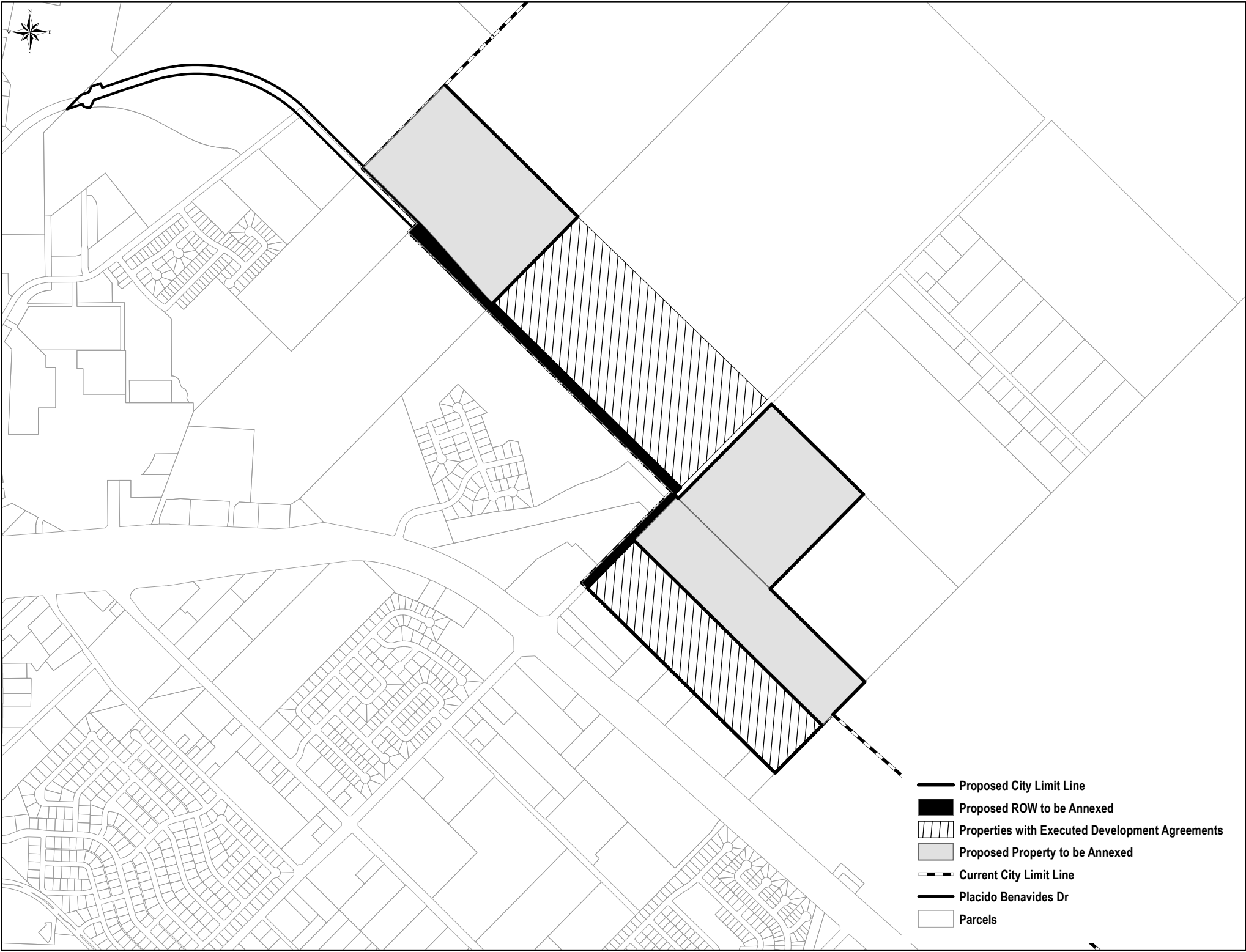
PURPOSE: Public hearings will be held at which all persons interested in the proposed annexations will be given an opportunity to be heard at the dates and times shown in this notice.

WHERE: City of Victoria City Council Chambers
107 W. Juan Linn
Victoria, Texas

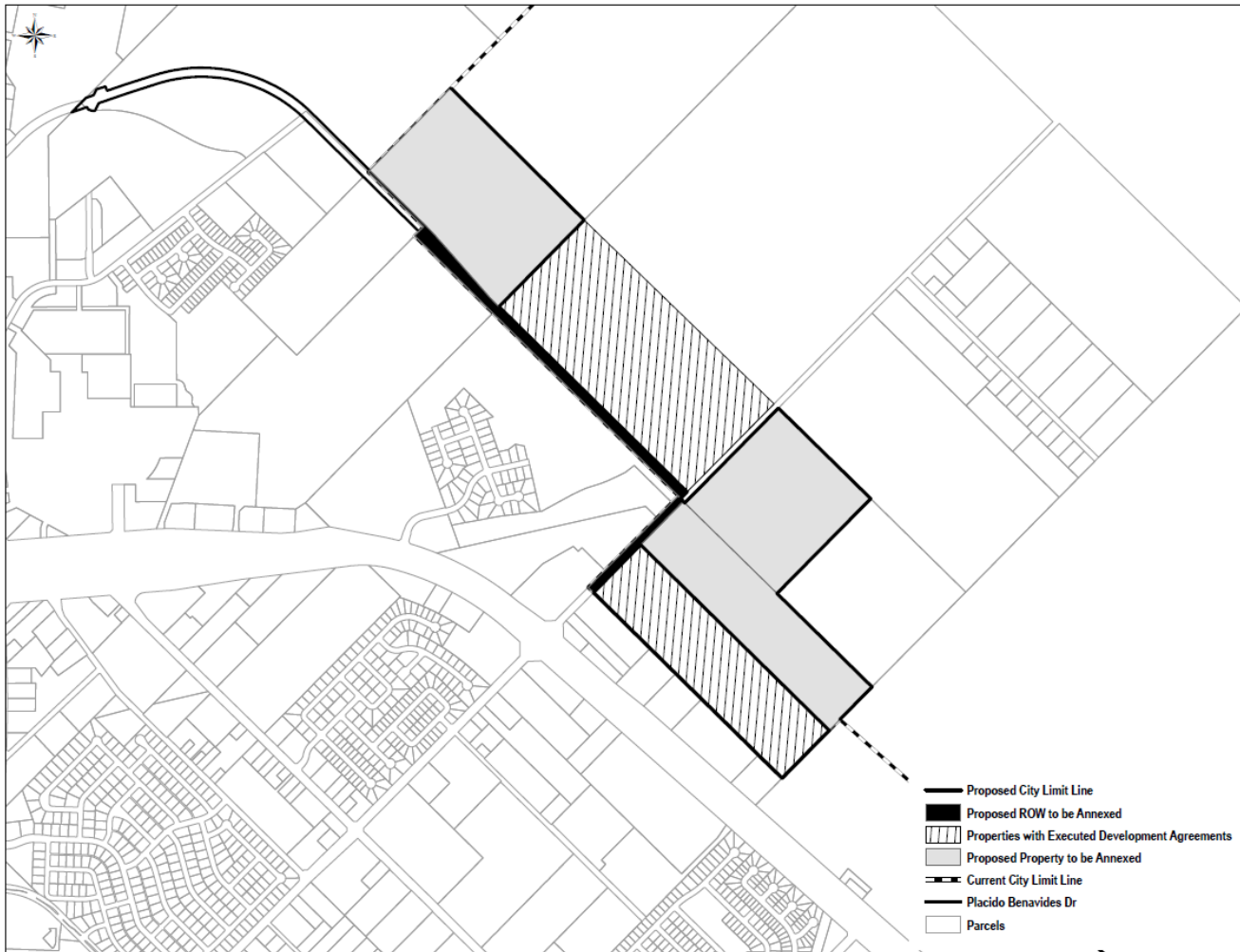
WHEN: 5:00 PM, December 18, 2018

Details of the proposed annexations may be obtained from the City of Victoria Development Services Department Office, 700 Main Center, Suite 129, Victoria, Texas, Monday through Friday from 8:30 AM to 4:30 PM or you may call (361) 485-3360 for additional information. Details of the annexations may also be accessed on the City of Victoria's internet website at www.victoriatx.org.





PROPOSED ANNEXATION AREAS



ANNEXATION SCHEDULE

DATE	EVENT
November 6, 2018	City Council Resolution directing the preparation of a Service Plan for the annexed area(s). Resolution authorizing City Manager to enter into Annexation Development Agreements for Ag Exempt property owners.
November 7, 2018	Mail Annexation Development Agreement to property owners with Ag Exemption. <i>(30 days per LGC Sec. 43.035)</i>
November 18, 2018	Mail notice to property owners of annexation plans. <i>(30 days prior to first public hearing per LGC Sec 43.062)</i>
November 18, 2018	Notify Railroad Company of annexation proceedings by Certified Mail.
November 18, 2018	Notify County of annexation proceedings. <i>(and any volunteer FD, volunteer EMS, or special district)</i>
December 6, 2018	Notify VISD of annexation proceedings and any potential fiscal impact. <i>(LGC Sec. 43.905)</i>
December 6, 2018	Publish public hearing notice in Victoria Advocate for both hearing dates and post on city web site. <i>(LGC Sec. 43.0561(c))</i>
December 18, 2018 <i>(Regular City Council Mtg.)</i>	First & Second Public Hearings – presentation of Service Plan for all geographical areas.
January 3, 2019 <i>(Rescheduled Regular City Council Mtg.)</i>	First Reading of Annexation Ordinance – also known as “Institution of Proceedings.”
January 15, 2019 <i>(Regular City Council Mtg.)</i>	Second and Final Reading of Annexation Ordinance – areas are officially annexed.
January 25, 2019	Effective Date of Annexation.
January 25, 2019	Notify State Comptroller of annexation for local sales tax collection - tax.allocation@cpa.state.tx.us
January 28, 2019	File annexation ordinance with County Clerk.

ANNEXATION SERVICE PLAN

INTRODUCTION

This Service Plan (“plan”) is made by the City of Victoria, Texas (“City”) pursuant to Section 43.056 of the Texas Local Government Code. The plan addresses how the City will furnish municipal services to areas being annexed.

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

STATUTORY SERVICES

The City is obligated by state statute to provide the following services to the annexed areas within sixty (60) days immediately after the effective date of annexation:

Police Protection

Police protection will be provided by the City of Victoria Police Department within 60 days of the annexation in accordance with standard policies and procedures.

Fire Protection

Fire protection will continue to be provided by the City of Victoria Fire Department. Staffing and equipment will be deployed based on the nature of the incident in accordance with standard policies and procedures.

Solid Waste Collection

Residential solid waste collections will be provided by the City of Victoria Solid Waste Department within 60 days of the annexation in accordance with applicable policies and ordinances. The City does not provide commercial solid waste service.

Maintenance of Water and Wastewater Facilities

Areas outside the existing city limits which already receive water and/or sanitary sewer services from the City of Victoria will continue to receive such services. All water and sanitary sewer service facilities will be operated, maintained, monitored and inspected in accordance with standard policies and procedures. The presently existing water and sanitary sewer mains at existing locations shall be available for the point of use extension based upon the City’s standard extension policies now existing or as may be amended. On-site sewerage systems may be maintained in accordance with the City of Victoria Code of Ordinances.

Maintenance of Roads and Streets

Within 60 days of the annexation, the City of Victoria Street Department will begin maintaining existing public roads and streets and related lighting and drainage infrastructure over which the City will have jurisdiction in accordance with standard City maintenance procedures. Emergency road repairs will begin on the effective date of annexation.

Maintenance of Park Facilities

There are no existing public park facilities within the annexation areas.

Other Publicly Owned Facilities, Buildings or Services

There are no existing public buildings or facilities within the annexation areas.

CAPITAL IMPROVEMENTS

State statutes require the City to assume maintenance of certain types of existing infrastructure in the newly annexed areas within 60 days, as outlined above. Improvements that are necessary to provide the required levels of service in the annexed areas must be substantially completed within two and one half (2½) years after the annexation. The following general needs have been identified and will be further refined during future annual budget and capital planning processes by the City.

Police Protection

No capital improvements related to Police Department facilities are needed for the City to provide police protection services to the annexation areas.

Fire Protection

The City can provide fire protection services in the annexation areas without any immediate capital improvements related to Fire Department facilities.

Solid Waste Collection

No capital improvements are necessary for the City to provide residential solid waste collection services in the annexation areas. The City does not provide commercial solid waste services.

Water and Wastewater Facilities

It is not necessary for the City to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation for the particular annexed areas being annexed.

Roads and Streets

It is not necessary for the City to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation for the particular annexed areas being annexed. The Thoroughfare Master Plan and the actual pattern of land development and population growth will determine where road extensions and improvements are ultimately made in the City and its ETJ. There is one planned thoroughfare, Placido Benavides, to be constructed in the annexed areas, but is not a requirement for this annexation.

Maintenance of Park Facilities

There are no proposed public park facilities within the annexation areas.

Other Publicly Owned Facilities, Buildings or Services

There are no proposed public buildings or facilities within the annexation areas.

Railroad Rights-of-ways

There are no railroad rights-of-ways within the annexation areas.

Election Precincts and Districts

The addition of annexed area to the appropriate City Councilmember Districts and Election Precinct(s) will be coordinated with the Elections Administrator.

Effective Term

This plan shall be in effect for the term of ten (10) years commencing on the effective date of the annexation ordinance. Renewal of the service plan is at the discretion of the City.

AREA #1
Placido Benavides and Salem Road Rights-of-ways and 54.46 acres abutting Placido Benavides and owned by Victoria Shopping Center Limited Partnership

This proposed annexation consists of portions of Placido Benavides and Salem Road rights-of-way and a 53.46-acre tract abutting the Placido Benavides right-of-way and owned by Victoria Shopping Center Limited Partnership. Additionally, several additional parcels of land abutting these rights-of-way or in the vicinity are to be considered for annexation; these additional parcels of land, listed in Table 2 below, are eligible for Annexation Development Agreements, as authorized by *LGC Sec. 43.035*.

Acres: 64.39

Housing Units: 0

Pros: 1) Tax revenue from existing development.
 2) Local ordinance control over undeveloped tracts.

Cons: None.

Costs to Serve: \$0.00. All services are existing and adequate to serve the annexed area.

Table 1

Properties to be annexed:

PROPERTY OWNER	PID NUMBER	ACRES	APPRAISED VALUE	TAXABLE VALUE*	REVENUE GAINED
Public Right-of-Way	Placido Benavides right-of-way	8.73	\$0.00	\$0.00	\$0.00
Public Right-of-Way	Salem Road right-of-way	2.20	\$0.00	\$0.00	\$0.00
Jake Schlein Properties Limited Partnership	35142	40.00	\$28,876.00	\$747.00	\$04.45
Jake Schlein Properties Limited Partnership	36169	34.00	\$24,544.00	\$636.00	\$03.95
Victoria Shopping Center Limited Partnership	93018	53.46	\$80,190.00	\$80,190.00	\$499.15
TOTAL		64.39	\$80,190.00	\$80,190.00	\$499.15

* Value of land after Ag Exemption.

Table 2

Properties with executed Annexation Development Agreements:

PROPERTY OWNER	PID NUMBER	ACRES	MARKET VALUE	TAXABLE VALUE*	REVENUE, IF ANNEXED
Barbara Diebel Family Limited Partnership*	35138	71.72/314.5 9	\$814,220.00	\$61,750.00	*\$87.63
Dennis & Grace Renken	36211	40.00	\$640,000.00	\$4320.00	\$26.89
TOTAL		185.72	\$1,701,154.00	\$69,613.00	\$122.92

*Value of land after Ag Exemption.

*This is a single 314.59-acre tract, in which only 71.72 acres are subject to this annexation; the total value of the entire tract is included, but the proposed revenue has been prorated.